

Serial No.: 10/672,106

Attorney Docket No.: 2003P08211US

REMARKS

Upon entry of the instant amendment, Claims 1, 3-14, and 16-20 are pending. Claims 1, 9, and 14 have been amended to more particularly point out applicants' invention.

Claims 1, 4-11, and 14 have been rejected under 35 U.S.C. 103 as being anticipated by Jones, Jr., U.S. Patent Application No. 2001/0052849 ("Jones") in view of Camhi, U.S. Patent No. 6,762,684 ("Camhi") and further in view of Silver et al., U.S. Patent Publication No. 2007/0082668 ("Silver"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Jones, Camhi, or Silver, either singly or in combination.

As described in the Specification, a remote device equipped with an audible alarm and a transmission alarm is provided in accordance with embodiments of the present invention. The alarms can be sounded based upon different boundaries or geographic ranges. In particular, in certain embodiments, an alarm can sound when a device is determined to be outside a predetermined geographic range; the location can be transmitted to an administration device a predetermined period after the alarm has sounded if the device is not returned to within the range. In addition, in some embodiments, the wireless device and/or system can include or be associated with a presence system for defining availability of the user based on the geographic condition of the device. Further, in some embodiments, the wireless device transmits its alerts or updates responsive to requests from the administrative device.

Thus, claim 1 has been amended to recite "wherein said wireless communications controller is adapted to cause positioning information to be transmitted to an associated administration device ... in response to a request from the administration device;" claim 9 has been amended to recite "wherein said positioning controller sends an alert in response to a request from the administrative device;" and claim 14 has been amended to recite "transmitting one or more alerting signals to the administrative device responsive to a request from the administrative device."

In contrast, none of the references provide for a user device to send such

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updates responsive to requests from the administrative device. In Jones, updates are sent in response to a violation of a boundary condition; Jones specifically teaches against periodic updates or constant updates; similarly, Camhi and Silver provide for periodic location sampling. None, however, allows for the administration device to request such an update.

As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 3, 12-13, and 16-20 were rejected under 35 U.S.C. 103 as being unpatentable over Jones, Camhi, Silver, and further in view of Chaco, U.S. Patent No. 7,034,690 ("Chaco"). Jones, Silver, and Camhi have been discussed above. Chaco is relied on for allegedly teaching a second boundary. However, like Jones, Silver, and Camhi, Chaco fails to remedy the above-identified deficiencies in the primary references. Indeed, inasmuch as Chaco relates to an infant monitor, who presumably would not be able to respond to electronic communication, Applicants respectfully submit that Chaco teaches away from the claimed invention. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

For all of the above reasons, Applicants respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

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Respectfully submitted,

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